

# **EXHIBIT 10**

**In the Matter Of:**

*In Re: Google Antitrust Investigation*

---

*DONALD HARRISON*

*October 19, 2021*

---



1

1

2

-----X

3

In Re: Google Antitrust Investigation

4

5

1:20-cv-03010-APM

6

-----X

7

\*\*\*HIGHLY CONFIDENTIAL\*\*\*

8

9

DEPOSITION OF DONALD HARRISON

10

11

12

13

14

15

16

DATE: October 19, 2021

17

TIME: 12:18 p.m.

18

PLACE: \*\*\*REMOTE\*\*\*

19

BEFORE: Rebecca Schaumloffel, RPR, CCR-NJ

20

JOB NO: 2021-814957

21

22

23

24

25

D. HARRISON

THE VIDEOGRAPHER: Good

afternoon. We are now on the record.

Today's date is October 19, 2021, and

the time is 12:19 p.m. Eastern Time.

This is the video deposition of Donald

Harrison in the matter of Google

60-51611-0009 filed in the United

States Department of Justice, case

number 30758.

This deposition is taking place

via web video conference with all

participants attending remotely. My

name is Jose Reyes, I'm the

videographer representing Lexitas.

Will counsel on the conference

please identify yourself and state

whom you represent, beginning with the

questioning attorney.

MR. NIERLICH: Good morning. My

name is Chuck Nierlich with the

Antitrust Division of the Department

of Justice. I'm joined by my

colleagues Michael Wolin, Sue Majewski

and Dawid Skalkowski.

1 D. HARRISON

2 role in the past?

3 A. Yes. We generally -- so when I  
4 managed corporate development, so now we're  
5 going back to 2015, I would generally rotate  
6 people in and out so there would be a number  
7 of corporate development professionals that  
8 would have worked with our ads teams.

9 Under Sanjay Kapoor, you know, I  
10 would be guessing. I mean, I know who his  
11 senior leads are and know them pretty  
12 closely, but I couldn't say specifically who  
13 is covering advertisements right now.  
14 Advertising.

15 Q. Do you know what an on-the-record  
16 chat is in Hangouts?

17 A. I do.

18 Q. And what is it?

19 A. It's when you click on  
20 on-the-record when you are -- when you're in  
21 the chat. You have a chat, you have an  
22 option to be off the record or on the record.  
23 It's when you click it on the record and that  
24 means that the chat is being recorded.

25 Q. Have you ever marked a chat as on

1 D. HARRISON

2 the record?

3 A. I believe I have over time. I'm  
4 subject to a number of litigation holds and  
5 require, if I talk about substantive matters  
6 in connection with those litigation holds, to  
7 click on the record. Sometimes it's another  
8 person that clicks it on the record, which  
9 puts you, your chat on the record as well.

10 Q. Can you think of any specific  
11 examples of marking a chat on the record?

12 A. No. I mean -- no.

13 Q. What are the circumstances that  
14 would prompt you to mark a chat on the  
15 record?

16 A. If I thought I was having a  
17 substantive conversation about a topic that  
18 was the subject of a litigation hold or that  
19 I received an instruction on a litigation  
20 hold.

21 Q. But otherwise, the default for you  
22 would be to have it off the record?

23 A. It would be.

24 Q. Do you ever ask someone to ping  
25 something to you?

1 D. HARRISON

2 A. Yes, yes.

3 Q. And what is -- when you use the  
4 word "ping" in that way, what do you mean?

5 A. Similar to how the exhibits are  
6 appearing in the context of this  
7 conversation. If I wanted to review a  
8 document, then I would ask someone to send it  
9 to me, ping it to me, chat it to me.

10 Q. There isn't a separate chat  
11 program called Ping that you use?

12 A. No.

13 Q. What steps, if any, have you taken  
14 to identify or collect documents on your  
15 devices in connection with this  
16 investigation?

17 A. I have followed all of the  
18 instructions I have received from my lawyers.  
19 I think -- I know that they are on the back  
20 end pulling my emails. On the front end,  
21 I've been asked to collect all of my written  
22 notes and provide them to counsel, which I  
23 have done. And I know that they have made,  
24 you know, flash copies of my mobile devices.

25 Q. When did you provide your written

C E R T I F I C A T E

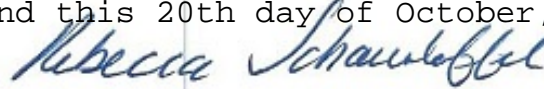
STATE OF NEW YORK            )  
  : SS.:  
COUNTY OF NASSAU            )

I, REBECCA SCHAUMLOFFEL, a Notary  
Public for and within the State of New York,  
do hereby certify:

That the witness whose examination  
is hereinbefore set forth was duly sworn and  
that such examination is a true record of the  
testimony given by that witness.

I further certify that I am not  
related to any of the parties to this action  
by blood or by marriage and that I am in no  
way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 20th day of October, 2021.



REBECCA SCHAUMLOFFEL